

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**KEISHA ARNOLD, as next friend of minor
K.M., and KEITH JACKSON, in their
individual capacity and on behalf of the Estate
of KEITH MURRIEL, JR., and the
STATUTORY BENEFICIARIES**

PLAINTIFFS

V.S.

3:23-CV-00267-DPJ-FKB

**AVERY WILLIS, KENYA MCCARTY,
JAMES LAND, CAZINOVA REED, CITY
OF JACKSON, AMERICAN MEDICAL
RESPONSE AMBULANCE SERVICE,
INC., GLOBAL MEDICAL RESPONSE,
INC., BLACKSTONE REAL ESTATE
INCOME TRUST, INC., STARWOOD
REAL ESTATE INCOME TRUST, ESA P
PORTFOLIO OPERATING LESSEE, LLC
AND ESA MANAGEMENT, LLC**

DEFENDANTS

**AGREED STIPULATION OF VOLUNTARY DISMISSAL AS TO SEPARATE
DEFENDANTS BLACKSTONE REAL ESTATE INCOME TRUST, INC. and
STARWOOD REAL ESTATE INCOME TRUST**

IT IS HEREBY STIPULATED AND AGREED that all claims against Defendants BLACKSTONE REAL ESTATE INCOME TRUST, INC., and STARWOOD REAL ESTATE INCOME TRUST are hereby **DISMISSED WITHOUT PREJUDICE**, with the parties to bear their own costs.

IT IS FUTHER STIPULATED AND AGREED that in the event it is determined that there is a basis upon which to rejoin Defendants BLACKSTONE REAL ESTATE INCOME TRUST, INC. and STARWOOD REAL ESTATE INCOME TRUST, the parties may file a Motion to Reinstate the claims against these particular defendants at any time prior to the close of this lawsuit.

IT IS FURTHER STIPULATED AND AGREED that in the event a Motion to Reinstate as to these particular defendants is filed before the close of this lawsuit, Defendants, BLACKSTONE REAL ESTATE INCOME TRUST, INC., and STARWOOD REAL ESTATE INCOME TRUST, hereby waive the defense of Statute of Limitations.

IT IS FURTHER STIPULATED AND AGREED that, by virtue of this Agreed Stipulation of Voluntary Dismissal, the style of this lawsuit shall be amended to reflect the dismissal of BLACKSTONE REAL ESTATE INCOME TRUST, INC., and STARWOOD REAL ESTATE INCOME TRUST.

SEEN AND AGREED:

s/ John Graham

John Graham (MS Bar No100364)
Ericson Enger (MS BarNo105808)
WILSON ELSEER MOSKOWITZ
EDELMAN & DICKER LLP
1400 Meadowbrook Road, Suite 100
Jackson, MS 39211
601.499.8077 (Main)
601.499.8078 (Fax)
john.graham@wilsonelser.com
ericson.enger@wilsonelser.com

**ATTORNEYS FOR DEFENDANTS
BLACKSTONE REAL ESTATE
INCOME TRUST, INC., STARWOOD
REAL ESTATE TRUST, INC., ESA P
PORTFOLIO OPERATING LESSEE,
LLC AND ESA MANAGEMENT, LLC**

s/ Daryl K. Washington

Daryl K. Washington (PHV # 44772)
Washington Law Firm, P.C.
325 N. St. Paul St., Suite 3950
Dallas, TX 75201
214.880.4883 (Main)
214.751.6685 (Fax)
dwashington@dwashlawfirm.com

And

E. Carlos Tanner, III (MS Bar No. 102713)
Tanner & Associates, LLC
263 E. Pearl Street
Jackson, MS 39201
601.460.1745 (Main)
662.769.3509 (Fax)
carlos.tanner@thetannerlawfirm.com

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2023, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Southern District of Mississippi, using the electronic case filing (“ECF”) system of the Court. All counsel of record were served via electronic service through the ECF system.

/s/ Daryl K. Washington

Daryl K. Washington